NOTICE OF DECISION AND FINDING OF NO SIGNIFICANT IMPACT ON ENVIRONMENTAL ASSESSMENT FOR THE ANACOSTIA RIVERWALK

ANACOSTIA PARK, WASHINGTON, D.C.

I. SUMMARY

The National Park Service (NPS) has completed its review of an Environmental Assessment (EA) on the proposal to develop the Anacostia Riverwalk, along with consideration of comments it received from the public. The project would create a system of trails through Anacostia Park along the Anacostia River. The trail proposal is reflected in the alternatives being developed for the NPS' Anacostia Park General Management Plan (GMP). The project is a collaborative effort between the NPS and the District of Columbia (DC). The trail would be located on mostly NPS lands in DC, with much smaller portions on DC lands and NPS land in Maryland.

This document presents both the Notice of Decision of the NPS selected alternative and the NPS determination, pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations, and NPS guidelines and policy, that this selected alternative results in a Finding of No Significant Impact (FONSI). This Notice of Decision /FONSI will be attached to the EA.

Consequently, the NPS will proceed with the selected alternatives, which are Alternative 1A, in Design Section 1; Alternative 2A, in Design Section2; and Alternative 3A, in Design Section 3, as described below. These were identified in the EA as the preferred alternatives, and will be implemented, with minor variations from the conceptual alignments described in the EA. These also comprise the environmentally preferred alternative. The action will create the Anacostia Riverwalk (ARW), a multi-use trail and its connecting points that will run on the east side of the Anacostia River from the Washington Navy Yard to Benning Road, and on the west side of the Anacostia River from the Anacostia Naval Station to the Bladensburg trail in Prince George's County, Maryland. Construction of the trail will begin with Design Section 2 during the summer of 2005, and Design Sections 1 and 3 are planned to be built during the following two years, or as funding is made available. Copies of this decision notice and finding and the EA will be provided to all commenters and interested parties, and notification of its availability will appear on the Anacostia Park website (www.nps.gov/anac/) and in the newspapers of general circulation.

II. <u>BACKGROUND</u>

Anacostia Park is one of the's largest and most important recreational areas in the District of Columbia (District). It receives heavy, year-round use and attracts visitors from around the region and nation. While the Park's 1,200 acres offer passive and active recreation, the Park does not offer extended biking and walking opportunities. Few trails exist that allow park users to walk or ride from one area of the Park to another. The need for the ARW is interrelated with

transportation, recreational, and safety considerations. In the project area, there is limited and discontinuous bicycle and pedestrian access between the riverfront and adjacent communities.

This proposal is considered in the alternatives being developed for the draft Anacostia Park GMP. The trail proposal has also been a key component of the Anacostia Waterfront Initiative (AWI), which is the District's plan for revitalizing the river's waterfront areas. The AWI plan is the product of the commitment made by twenty Federal and local agencies, including the NPS, to cooperatively develop a vision for the waterfront. The commitment, formalized in March 2002 with a Memorandum of Understanding (MOU), led to three years of planning, public meetings, and public discussion. The resulting AWI plan proposed a comprehensive 48-mile trail system, including 20 miles of trails along the Anacostia River, that would provide residents and visitors access to the District's riverfronts.

Subsequently, a Congressional appropriation was included in the 2004 District of Columbia Appropriations Act for planning and development of the ARW. The District of Columbia Department of Transportation (DDOT) was given responsibilty for coordinating the project. A Memorandum of Understanding (MOU) was signed January 2, 2004 by the NPS, DDOT, the Maryland National Capital Park and Planning Commission (MNCPPC), and the Maryland Department of Transporation "For the Design and Construction of the Anacostia River Trail." The MOU documented the agreement to connect the northern end of the trail in the District with the Regional Bicycle Trail Network at Bladensburg Waterfront Park in Prince George's County, Maryland. The EA was prepared in furtherance of the goals of the MOU. DC agreed to follow NPS guidelines for the project compliance, since the great majority of the project occurs on NPS lands, and NPS the compliance process is stricter and more inclusive. The project team included the NPS, DDOT, and consultants under contract to DDOT.

The project proposed constructing multi-use trails along the east and west sides of the Anacostia River within and adjacent to the Park in Washington, D.C. The trail system would improve and supplement the limited trail sections that exist in the Park and would provide a safe and convenient means for park visitors to access the Anacostia waterfront and enjoy the Park. The trails will offer bicylicts and pedestrians:

- Nearly continuous access to the east side of the river from South Capitol Street to the Bladensburg Trail in Maryland, a distance of seven miles;
- Continuous access to the west side of the river from 11th Street to Benning Road, a distance of three miles; and
- Safe and convenient access points to enter the Park from the surrounding neighborhoods.

Public Involvement

The proposal has been before the public in the context of both the AWI and the GMP. Two GMP newsletters have been distributed to the public and three community meetings on the GMP were held in June 2003. It has been presented in numerous public workshops, citizen advisory group meetings, and public meetings on the AWI between Spring 2000 and Spring 2003. Appendix 6 of the EA lists the AWI Public Involvement events.

Coordination specific to the ARW included an initial Agency NEPA Scoping period and subsequent NEPA Scoping Meeting. Agencies that participated, in addition to the NPS and DDOT, included the DC Sports and Entertainment Commission, DC Department of Environmental Health, DC Department of Public Works, DC Department of Parks and

Recreation, National Capital Planning Commission, Washington Metro Area Transit Authority, Prince George's County (Maryland), Maryland Department of the Environment, Maryland Department of Natural Resources, and the Maryland Department of Transportation.

The EA was made available for a 30 day public review period, which ended on January 20, 2005. During the public review period, the NPS and DDOT jointly held a public meeting at Friendship-Edison PCS/Woodson Senior Academy in Northeast Washington D.C., near Anacostia Park on January 6, 2005 to present the alternative concepts described in the EA to interested parties and to receive comments regarding the range of issues related to the proposal. Extensive public outreach was conducted to notify the public about this meeting and distribute the EA. On December 13, 2004 approximately 175 individuals received an email invitation to attend the public meeting. On December 17, 2004 a subsequent email was sent that included information about the availability of the EA. Copies of the EA were distributed to ten local library branches, six Advisory Neighborhood Commissions (ANCs), and 17 civic or community associations. Between December 20th and 22nd telephone calls were placed to ANCs, agencies, organizations, and individuals for whom phone numbers were available with a reminder of the public meeting. In late December, an invitation from DDOT was made to the mailing list of approximately 300 to 400 names. Following the distribution of the letter, another round of telephone calls was placed to all individuals who received invitations to the public meeting.

Sixty-four members of the public signed the attendance roster at the January 6, 2005 meeting, 12 of who spoke, with 11 people providing written comments. Comments were accepted through April 2005. Another meeting was held on April 28, 2005 at Payne Elementary School in Northeast Washington D.C. The attendance sheet was signed by 27 members of the public, and additional comments were received from nine people.

The EA was posted for public review on the DDOT (http://ddot.dc.gov under Transportation Studies) and National Park Service (www.nps.gov/anac) websites. The document has also been posted on the official project website, www.arwstudy.com. The ARW Study website had the capability to accept public comments, and two comments were received there.

The public comments were summarized and reviewed by the project team and were considered as part of the decision process of the EA. Comments generally supported the improved access to the park, and concerns were raised about security, wildlife protection, access, and the extent of paving. A letter from the Maryland Critical Area Commission questioned the width of the trail and emphasized wetland protection and the need for mitigations for wetland impacts, which will be included in the project design.

The project was presented to the National Capital Planning Commission (NCPC), which gave the project a unanimous concept approval at its January 2005 meeting. A December 8, 2004 letter from the NCPC expressed concern about wetland protection and encouraged the use of low impact construction techniques, which have been incorporated in the project.

The proposed project was also considered in meetings with the District of Columbia State Historic Preservation Office (SHPO) in regard to the effects of the project on the cultural resources. On June13, 2005 the SHPO concurred with the NPS determination that the project would have no adverse effect on cultural resources, provided that Phase I archaeological fieldwork and any necessary follow-up actions are undertaken. This concurrence is attached.

III. DECISION

All of the action alternatives proposed construction of a trail system in proximity of the Anacostia River. For each alternative, the project has been divided into three design sections, each design section containing alternatives: Design Section 1 consists of the east side of the Anacostia River between the South Capitol Street and Benning Road. Design Section 2 consists of the west side of the Anacostia River between the Washington Navy Yard and Benning Road. Design Section 3 consists of the east side of the Anacostia River from Benning Road to the Bladensburg Trail in Maryland.

The NPS has selected Alternative 1A, in Design Section 1; Alternative 2A, in Design Section 2; and Alternative 3A, in Design Section 3. These were collectively identified in the EA as the preferred alternative, and will be implemented with minor variations from the conceptual alignments described in the EA. The selected alternatives were those that minimized impacts of the project.

The selected alternative is also the environmentally preferred alternative. According to NPS policy, the environmentally preferred alternative is the alternative that will promote the national environmental policies expressed in NEPA. As stated in the EA, the preferred alternative would minimize impacts across the range of all environmental impacts analyzed. The selected (preferred) alternative attains the widest range of beneficial uses of the environment without undesirable environmental consequences. Since it provides for improved access to the park and river, it helps make available to the public healthful, productive, and aesthetically pleasing surroundings. It also achieves a balance between population and resource use that offers amenities to the public while preserving resource values. For these reasons, the selected alternative was considered the environmentally preferred alternative, rather than the No Action alternative.

The project team identified the objectives that guided the selection of alternatives and the decision on the preferred alignment:

- Access to the Anacostia River and Anacostia Park:
- Desired viewsheds from the trail;
- Physical connectivity to local communities, transportation infrastructure, and local and regional trails;
- Proximity to the river; and
- Providing improved access to important park features, including recreational facilities and areas of natural and cultural interest.

The selected alternatives create a system of multi-use trails that generally parallel the Anacostia River. The typical section (e.g., the width, material, and landscaping) for the trail would vary by location. In areas that are currently maintained as turf, the section would consist of a 10 to 12-foot wide asphalt path that meanders around existing trees and wetlands. The trail would be landscaped with additional trees and plants. In environmentally sensitive areas, such as wetlands and river edges, the walkway may be constructed as a boardwalk. Other portions of the trail will include reconstructing existing roadways and constructing the trail on existing sidewalk areas. Signage will be implemented along the trail, consisting of wayfinding/guide signs, interpretive waysides, and orientation panels with maps and other trail instructions. Interim signs will be

installed during the stages of construction and will be replaced by full signage when the three design sections are completed.

In <u>Design Section 1</u> of the selected alternative, the east side of the Anacostia River between the South Capitol Street and Benning Road, the trail would begin-at the terminus of an existing trail that runs from the Anacostia Naval Station to the South Capitol Street Bridge. The trail would meander through the southernmost section of Anacostia Park between Anacostia Drive and the river. From approximately the 11th Street bridge north to Pennsylvania Avenue, where the area between Anacostia Drive and the river becomes quite narrow, existing Anacostia Drive would be relocated approximately 20 feet to the east, to allow placement of the trail between the relocated road and the river. The west edge of the proposed trail would be located at the west edge of the existing roadway. A five-foot unpaved buffer would separate the trail users from the road. On its new location, Anacostia Drive would be approximately 22 feet wide and would include the same number or more parking bays than exist today. Just south of Pennsylvania Avenue, the relocated Anacostia Drive would join with existing Anacostia Drive.

From approximately Pennsylvania Avenue north, the trail would generally parallel the river until it reaches the boat ramp parking area near the Anacostia Pavilion. It would cross Anacostia Drive, with the roadway striped and signed to alert drivers of the presence of bicyclists and pedestrians. From that point, the trail would parallel the railroad for a short distance, and then pass over the CSX tracks on a new 16-foot wide pedestrian bridge. From the CSX tracks north, the trail would be located on the existing unpaved NPS service road until it connects with an existing trail at River Terrace just north of East Capitol Street. The existing trail would be widened to 12 feet, with this trail section ending at Benning Road. The existing trail spur that provides pedestrian access to Anacostia Avenue would be reconfigured to include accessibility ramps.

At various points along the length of the trail, existing sidewalks, streets, and service roads would connect to the trail. In some cases, minor alterations to existing sidewalks or re-striping of the road may be required to meet safety requirements for facilities shared by bicyclists, walkers, service vehicles, or traffic. Portions of these connectors would be off NPS land and for the selected Alternative 1A would include:

- Howard Road near South Capitol Street;
- The Anacostia Metro Station;
- Good Hope Road near the existing park entrance;
- Nicholson Street near the existing park entrance; and
- Ft. Dupont Park. In this location, the existing NPS service road would be extended to connect with G Street near the DC Center for Therapeutic Recreation. This extension would pass under the Anacostia Freeway Bridge over the CSX Railroad tracks at grade and connect to G Street, SE.

In <u>Design Section 2</u>, under the selected Alternative 2A, Water Street, SE would be reconstructed to accommodate vehicular traffic and the trail. The trail alignment would lead away from Water Street and traverse a portion of park property formerly used by Washington Gas. The minor variation from the alignment described in the EA would then take advantage of an existing "trail" through a woodlot. This "trail" runs close to the shoreline and then winds through a back portion of the Eastern Power Boat Club. The alignment closely parallels the existing fence lines of the Eastern Power Boat Club and the adjacent District Yacht Club before returning to the

Water Street right of way and the terminus of Water Street at M Street. This alternative was selected to minimized filling and tree clearing in the woodlot. This adjustment also takes advantage of the open green space between Water Street and the river, bringing trail users to the waterfront, thereby achieving the identified ARW objective of access and proximity to the river.

Water Street would be reconstructed to provide a uniform 20-foot width for vehicular traffic and a 12-foot wide path in the sidewalk space on the east side of Water Street. North of the District of Columbia Department of Public Works (DCDPW) facility, the trail would deviate from Water Street eastward, closer to the Anacostia River, rejoin the Water Street alignment just south of the Eastern Power Boat Club, and follow Water Street until it passes the District Yacht Club. At this location the trail would again turn east, away from Water Street, and connect to M Street.

At M Street, between 11th Street and the traffic circle at Maritime Plaza, the trail would run on the north side of the street. Northeast of the traffic circle, the trail would join M Street as a shared roadway. M Street would be reconstructed along its existing alignment from this location north to Pennsylvania Avenue to provide a uniform width of 20 feet for vehicular and bicycle traffic and a 6-foot sidewalk on the east side of the street. North of Pennsylvania Avenue, the trail would turn west away from M Street, where the proposed 6-foot sidewalk and reconstructed width of M Street would terminate. Existing M Street would be resurfaced from this location north to enhance access from the trail to the Seafarers Yacht Club at the end of the street. The portions of the trail on Water Street and M Street would utilize DC street rights of way.

The trail would leave M Street, and either cross the existing CSX Railroad tracks at-grade, as described in the EA; or on a new bridge over the CSX tracks, if CSX does not allow the at-grade crossing. It would then turn north along the east side of the RFK Stadium service road. A variable width grass buffer would be maintained between the existing service road and the proposed trail. If a new bridge is needed to cross the CSX tracks, it would be designed to avoid area wetlands, but a wetland survey would be implemented if required to determine wetland protection needs.

At the southern end of the RFK Stadium south parking lot, the turf area between the Anacostia River and the service road widens allowing the trail to meander closer to the Anacostia River. The trail alignment would closely parallel the existing riparian vegetation, winding between existing individual trees north to the East Capitol Street Bridge. The trail would then continue through the open turf park area between the RFK Stadium north parking lot and Kingman Lake, and continue to follow the existing riverbank vegetation north to Benning Road, NE while avoiding recent reforestation, and 'no mow' meadow areas. The trail would terminate at the existing sidewalk on the south side of Benning Road. The existing DC sidewalk on the Benning Road Bridge would be used to connect the trail to the trail on the eastern side of the Anacostia River.

This portion of the trail would include the following trail connections:

- Just north of Barney Circle, a trail connection would cross the existing RFK Stadium service road, travel along the north side of the circle, and then cross Barney Circle to connect to an existing trail stub. The trail connection would use the existing sidewalk along Barney Circle to its intersection with 17th Street, SE.
- At Independence Avenue and RFK Stadium near the southern end of the RFK Stadium south parking lot, a trail connection would cross the existing RFK Stadium service road and travel along an existing trail on the west side of the parking lot. South of

Independence Avenue the trail would transition to a proposed multi-use path and then split. One portion of the trail would connect to the sidewalk on the south side of Independence Avenue. The other portion of the trail would continue along an existing trail crossing beneath Independence Avenue adjacent to RFK Stadium to a location near the DC Armory.

- Along the south side of East Capitol Street, a trail connection would utilize the existing
 parking lot and a reconstructed existing trail to connect to the Independence Avenue
 connection described above.
- Along the north side of East Capitol Street the trail would link to an existing trail at the
 intersection of C Street and Oklahoma Avenue. A gap in the existing trail just east of
 Oklahoma Avenue would be completed with a proposed multi-use path.
- Approximately 800 feet south of Benning Road, a trail connection would include a
 proposed multi-use path that connects to the existing pedestrian bridge to Heritage and
 Kingman Islands.
- Along the south side of Benning Road to Oklahoma Avenue, a trail connection would include a proposed multi-use path constructed just south of the existing sidewalk and bollards along Benning Road.

Portions of these connecting trails would utilize DC street rights of way and/or NPS lands under Congressionally-directed 50-year lease to DC for use by RFK Stadium.

In <u>Design Section 3</u> Alternative 3A was selected based on the difference in alignment from Benning Road to Kenilworth Terrace and the amount of wetlands impacted under each alternative in the area from Anacostia Avenue to the Bladensburg Trail. Alternative 3A routes the trail around the north side of the PEPCO Plant and the DC Department of Public Works Trash Transfer Station.

Alternative 3A would connect the southern portions of Anacostia Park with Kenilworth Aquatic Gardens and the Bladensburg Trail in Maryland. Under this option, the existing trail that currently ends near the Benning Road Bridge would be extended north, paralleling the river until it passes the small cove near the Potomac Electric Power Company (PEPCO) power plant, where it would turn east. This portion of the trail would be located on the edge of the NPS maintenance yard and the DCDPW Trash Transfer Station. At the southeast corner of the Transfer Station the trail would turn east and follow the existing NPS service road to the intersection of Anacostia Avenue and Foote Street. Adjacent to the Neval H. Thomas Elementary School, the service road leaves NPS property and enters DC land. It continues as a designated trail on existing DC streets to the intersection of Deane Avenue and Kenilworth Terrace. The trail will head north on Anacostia Avenue, turn west on Hayes Street, then turn north again on Kenilworth Terrace. Portions of the trail in this section will be located in the existing sidewalk space due to existing roadway widths and the presence of a one-way street.

This portion of the trail includes a connection along Hayes Street to the existing pedestrian bridge over Kenilworth Avenue. This pedestrian bridge is a direct link to the Minnesota Avenue Metro Station. The trail connection would consist of approximately 100 feet of improved sidewalk with a minimum width of 10 feet on the south side of Hayes Street from the intersection of Hayes Street and Kenilworth Terrace to the pedestrian bridge.

The trail would re-enter NPS land near the intersection of Kenilworth Terrace and Deane Avenue and would turn west between Watts Branch and Deane Avenue, connecting to an existing path that crosses Watts Branch and Deane Avenue. The alignment would meander to avoid impacts to existing vegetation and playground near Deane Avenue. The trail would follow the existing path to the Kenilworth-Parkside Recreation Area. The existing path alignment would be revised to connect with the sidewalk along Anacostia Avenue near 40th Street.

From 40th Street to Quarles Street, the proposed trail would consist of a multi-use path in the sidewalk space on the west side of Anacostia Avenue. A five-foot grass buffer would separate the trail from Anacostia Avenue.

Near Quarles Street, the proposed trail would turn to the west between an existing football field and tree line. The trail would then turn north into the woods towards Lower Beaver Dam Creek before it reaches the northeast corner of the Kenilworth Greenhouse property, the fenced NPS administrative compound. This minor adjustment in the alignment described in the EA, would locate the trail in a more natural setting that would benefit the visitor's trail experience. Just south of Lower Beaver Dam Creek, the trail would turn west again and would be located on an existing berm until it reaches the Anacostia River, where it would turn north along the east bank of the Anacostia River, crossing over Lower Beaver Dam Creek and beneath the Amtrak Railroad and New York Avenue bridges. The portion of the trail along the Anacostia River bank would be on an elevated boardwalk structure to minimize impacts to wetland areas and existing vegetation. North of New York Avenue, the proposed trail would gradually turn away from the Anacostia River. To the north, the trail leaves the District of Columbia and enters Prince George's County, but continues for a short distance on NPS land of the Baltimore-Washington Parkway. The trail would then connect to a trail to be constructed by MNCPPC, which would continue on MNCPPC land to Bladensburg.

IV. ALTERNATIVES

The EA describes two action alternatives and a no action alternative. There were other options that were considered but rejected from further study. These are identified in the EA in Section 2.4.

Under the No-Action Alternative, NPS would not construct a new trail or make any enhancements to existing bike and pedestrian facilities. NPS would continue to maintain and operate Anacostia Park and implement minor improvements as part of its normal maintenance and safety operations.

In the action alternatives for Design Section 1, the only location where the alternatives differ is in the area between 11th Street and Pennsylvania Avenue. In Alternative 1B, the trail would be routed through the narrow strip of land between Anacostia Drive and the river and elevated boardwalk sections would be used to minimize impacts to the bank slope. The potential for negative impacts as a result of routing the trail so close to the riverbank was the factor that most heavily influenced the rejection of this alternative.

In the action alternatives for Design Section 2, under Alternative 2B, the alignment is similar to Alternative 2A, but the shared use trail would remain adjacent to Water Street until it joins M Street, SE. The alignment closer to the river in Alternative 2A was preferred because it would better achieve an identified ARW objective of access and proximity to the river.

In the action alternatives for Design Section 3, Alternative 3B is the same as that of Alternative 3A except for the segment between Anacostia Avenue and the Bladensburg Trail. In Alternative 3B the trail would turn to the west near Quarles Street between an existing fence line and baseball field, continuing to the southeast corner of the Kenilworth Greenhouse property. The trail would turn to the north and then west, close to the fence marking the perimeter of the property, and continue into the woods on an existing berm until it reaches the Anacostia River. From the east bank of the Anacostia River at the Amtrak Railroad to its terminus at the Bladensburg Trail, Alternative 3B is the same as Alternative 3A. This alternative was not selected due to the negative effects on trail experience and aesthetics by the proximity to the fences.

Alternative 3C is the same as that of Alternative 3A except for the segments between Benning Road and Kenilworth Terrace and at the northern end of Anacostia Avenue. Alternative 3C would use Benning Road sidewalks to connect to Anacostia Avenue. This would create safety concerns associated with Benning Road, where the proximity of heavy traffic and the need to cross the driveways of the PEPCO plant makes this location less suitable for pedestrian and bicycle use. The trail would use the sidewalk on the north side of Benning Road to Kenilworth Avenue, then turn north along the sidewalk on the west side of Kenilworth Avenue and continue to Foote Street. The trail would continue on Foote Street and Kenilworth Terrace to the intersection of Kenilworth Terrace and Deane Avenue. From this intersection to the northern limit of Anacostia Avenue Alternative 3C is the same as that of Alternative 3A.

At the northern limit of Anacostia Avenue the proposed trail would enter a wooded area and turn northwest towards Lower Beaver Dam Creek. The initial portion of the trail in the wooded area would be on an elevated boardwalk structure to minimize impacts to wetlands and vegetation. The trail would then turn north crossing over Lower Beaver Dam Creek. On the north side of the creek the trail would turn west and head towards the Anacostia River between Lower Beaver Dam Creek and the Amtrak Railroad tracks. From this point on Alternative 3C is the same as Alternative 3A. This alternative was not selected due to the extensive need for boardwalks and impacts to wetlands.

V. ENVIRONMENTAL IMPACTS AND ADDITIONAL CONSIDERATIONS

Development of the ARW would further the goals identified in the alternatives being developed for the draft GMP for Anacostia Park. These include:

- Recreational and leisure activities are offered where appropriate
- Visitors have adequate and safe access
- Visitors understand the value of park resources and their relationship to the Anacostia River
- Park landscape, facilities, and services complement and enhance visitor's experience

Improved access to the Park and the Anacostia River would enhance visitor uses and help develop increased appreciation of the park and river resources. Providing another link for the greater regional trail system would offer the benefit of additional recreational opportunities for residents and visitors to the DC area. This would be accomplished with minimal effects on the environment.

The NPS has addressed the criteria of 40 CFR part 1508.27 as articulated in the NPS Director's Order #12, "Conservation Planning, Environmental Impact Analysis, and Decision Making" and its handbook to determine whether the impacts of this project may be significant and require preparation of an Environmental Impact Statement (EIS). The NPS has has considered the following, which are further described in subsequent paragraphs:

- 1. The impacts have both beneficial and adverse aspects, and on balance are beneficial to visitor use. Coordination with appropriate regulatory agencies will be conducted and any necessary permits and approvals will be obtained. This will help ensure that adverse impacts will be mitigated to the maximum extent possible. The limited significance of any impacts does not require additional analysis in an EIS.
- 2. Public health is not affected and safety is being improved for bicyclists using the Park.
- 3. The trail would largely be within the floodplain of the Anacostia River, and will be constructed so as to not impact the floodplain. The floodplain effects have been considered and addressed in a separate Statement of Findings, which is attached. Wetland effects are considered an action excepted from additional compliance, since the trail qualifies as "scenic overlooks and foot/bike trails or boardwalks...the primary purposes of which are public education, interpretation, or enjoyment of wetland resources..." This is conditional on the use of best management practices to minimize impacts to wetlands.
- 4. The comments received during the public meeting and public review period indicate that the development of the trail is generally welcomed and will not be highly controversial.
- 5. The potential impacts are not highly uncertain or involve unique or unknown risks, since the NPS and DDOT have previously participated in other trail construction projects and are familiar with associated environmental concerns. The design and construction of the trail will involve minimal impacts that would be mitigated to the maximum extent feasible.
- 6. The action would implement a well accepted proposal that may lead to additional trail elements in the future, but it does not represent that a decision about a future consideration has been made.
- 7. The action is beneficial and is not related to any other actions that would create cumulatively significant effects. Effects during construction would occur in this and other projects resulting from the AWI, Anacostia Park GMP, and other projects, but would be minor and short term. Stormwater impacts would also be minor and would not add significantly to those of other projects near the river. Wetland losses from the project are minimized and will be mitigated.
- 8. It is anticipated that no cultural resources would be impacted by the project. Anacostia Park is not currently listed on the National Register of Historic Places, but future consultation with the SHPO will determine its eligibility. The implementation of the trail would not adversely affect the Park. The SHPO has signed a concurrence with the NPS determination that the project would have no adverse effect on cultural resources, provided archaeological requirements are met. Potential archeological resources are being surveyed and it is anticpated that no archeological resources would be impacted. The concurrence is attached.
- 9. No federally listed species are found in the affected area.
- 10. The action will comply with all federal, state, and local requirements for protection of the environment. To the extent that the work is performed on parkland by entities not under the supervision of the NPS, it will be performed pursuant to special use permits issued by NPS.

Visitor Use

The proposal would have a moderate, beneficial effect on visitor use and experience, by supplementing the existing trail system and providing additional opportunities for bicycling, walking, and enjoying the river. Visitor experience would be enhanced by the trail because it would provide safe and convenient means for park visitors to enter the Anacostia Park from the surrounding neighborhoods to enjoy the Anacostia waterfront and park resources.

Cultural Resources

Anacostia Park has few historic resources and low potential for affecting archeological resources. Archeological impacts are unlikely since both sides of the river have been subjected to extensive grading and filling. In addition, archaeological resources along the Anacostia River are located primarily on upper river terraces. The trail would be located on the lower Anacostia River terrace. This would avoid impacts to archaeological sites, which are unlikely to occur in the lower terrace of the river. The trail would also be located within a narrow construction footprint that would involve minimal, shallow earth movement and disturbance, or located within existing roadway alignments where possible.

One proposed trail segment of approximately 700 feet in length near Congressional Cemetery does not appear to be on fill material. Through consultation with the DC SHPO on Design Section 2, it was agreed that Phase I archaeological fieldwork would be accomplished for this section and all survey requirements must be met before construction ground disturbance occurred. This could include evaluation and data recovery or avoidance efforts, if artifacts in intact soils are found during the Phase I survey.

Records did not indicate any archaeological sites within the Prince George's County segment of the project area. No historic structures are known to exist in the area of potential impact.

Further consultation with the DC SHPO to determine the National Register eligibility of Anacostia Park and to determine the effects of each of the alternatives on archaeological sites in Design Sections 1 and 3 would be necessary before project designs are finalized.

Habitat

The selected action would have negligible impacts on habitats and wildlife in the Park. In Design Section 1, the trail would be constructed mostly on existing turf or paved areas. The trail would use boardwalk over emergent wetlands creating small areas of direct impacts. The action would not permanently fragment habitats, or isolate or create barriers to wildlife migration or movements because the trail is only 14 feet wide and it would be constructed either at-grade or as a bridge, not on a berm that would create a blockage to wildlife movement.

In Design Section 3 the trail would have minor impacts on habitats where it would encroach on forests and wetlands in the northern portion, between Anacostia Avenue and the Bladensburg Trail. The trail in this area would approach the river and cross over Lower Beaver Dam Creek as well as an extensive area of forested wetlands. This portion of the trail would be an elevated boardwalk structure to minimize impacts to riparian and aquatic habitats. In some other areas the trail would pass through areas of upland forest; however, because the trail would be less than 14 feet wide throughout its length, upland forest impacts would be minor because construction of

the trail would not create large openings in the canopy, and would use construction techniques requiring few tree takings.

Rare, Threatened, And Endangered (RTE) Species

Coordination with the Maryland Department of Natural Resources (MDNR) and US Fish and Wildlife Service (USFWS) regarding the existence of any rare, threatened, and endangered (RTE) species within the ARW study area, determined that RTEs are not expected to be impacted. In a September 14, 2004 letter, USFWS indicated that no federally listed RTE species are documented within the study area with the exception of occasional transient or migratory individuals. MDNR indicated in a letter of July 9, 2004, that no state or federally-listed RTE species have been documented within the study area. However, MDNR stated that "if appropriate habitat is available, certain species could be present without documentation because adequate surveys have not been conducted." The alignment of the proposed short Maryland section of the trail will be further examined for the presence of RTEs.

Wetlands

This project qualifies as an action excepted from further wetland compliance requirements, under NPS Director's Order 77-1, specifically described in Section 4.2.A.1.a of *Procedural Manual 77-1* as "...scenic overlooks and foot/bike trails or boardwalks, including signs, the primary purposes of which are public education, interpretation, or enjoyment of wetland resources (not to include parking lots, access roads, and other associated facilities)." The implementation of the selected alternative would result in minimal impacts to wetlands and would satisfy all criteria detailed in Appendix 2 of *Procedural Manual 77-1* entitled "*Best Management Practices (BMPs)/Conditions*" to be Applied When Proposed Actions Have the Potential to Have Adverse Impacts on Wetlands that must be met in order for a project to qualify as an Excepted Action.

The alignment would be designed to avoid wetland impacts to the greatest extent possible and to minimize the unavoidable impacts. Unavoidable impacts were reduced to the greatest extent practicable by realigning the trail, reducing trail footprint, utilizing low impact construction techniques, and maintaining hydrology through stormwater management design that ensures overall hydrology that supports wetland systems. Impacts include direct impacts such as fill and shading and indirect impacts such as changes to hydrology. Minor wetland areas that would be filled would be mitigated by expansion of the remaining adjacent wetland area. A conceptual mitigation plan will be developed and implemented in accordance to NPS procedures. Mitigation for unavoidable wetland impacts will be determined through coordination with the regulatory agencies.

The trail would also avoid and minimize impacts to wetlands and waterways that are designated for or currently undergoing restoration, such as Watts Branch, the Kenilworth Marsh, Kingman Lake, and the 31-acre wetland mitigation site near the PEPCO power plant. None of the areas planned for restoration would be impacted by the trail.

Floodplains

All of the Design Sections have portions of their alignments within the 100-year floodplain of the Anacostia River. Due to the large floodplain area and its topography, the encroachment potential of the project is anticipated to be negligible. The trail footprint is narrow and would be

constructed at-grade except in areas where an elevated boardwalk structure is employed to minimize impacts to wetlands and maintain conveyance of drainage ditches. Except for Design Section 1, this project would not involve the replacement or modification of any existing drainage structures under any of the alternative alignments. The road relocation in the selected Alternative 1A will require fill and new drainage structures; however, since this system will essentially replace the existing stormwater management system for this portion of Anacostia Drive, no change in hydraulics is anticipated.

The proposed trail and associated structures would perform hydraulically in a manner equal to or greater than the existing structure, and backwater surface elevations are not expected to increase. Boardwalk areas would allow flood waters to pass unobstructed through the pilings. As a result, there would be no significant adverse impacts on natural and beneficial floodplain values.

There would be no significant change in flood risk, and there would not be a significant change in the potential for interruption or termination of emergency service or emergency evacuation routes as the portions of the trail alignments located within the 100-year floodplain are not through roads.

Any impacts of the trail construction on floodplain values would be minimized and mitigated. Therefore, the construction of any of the alternative trail alignments is not anticipated to have any significant impacts on floodplains. However, due to the classification of the proposed action within the floodplain as a Class I action, the NPS procedure for implementing *DO 77-2:* Floodplain Management requires that a Statement of Findings (SOF) be prepared for these actions within a regulated floodplain. The approved SOF is attached to this document.

The quantity and quality of stormwater runoff is not expected to be significantly affected by the proposal. Increases in impervious area. in Design Sections 1, 2 and 3 would result in approximately 6.5 acres, 3.7 acres, and 3.7 acres of increased impervious area, respectively. Anacostia Park is comprised of over 1,200 acres and this increase in impervious area would account for approximately one percent of the total area.

The entire Maryland portion of the trail would be within Maryland's Chesapeake Bay Critical Area and would have to adhere to the forest preservation requirements of the state's Critical Area Law and Criteria. Mitigation in the form of reforestation or afforestation is required for unavoidable impacts to forest stands. Mitigation for any forest or vegetation cleared for construction of the trail would be a ratios of: 1:1 for clearing up to 20% of the parcel; 1.5:1 for clearing up to 30%; and 3:1 for clearing in excess of 30% of the parcel.

Permitting and Approvals

To avoid water quality impacts during construction, a Stormwater Pollution Prevention Plan will be prepared in accordance with the National Pollution Discharge Elimination System (NPDES) permit requirements. Appropriate stormwater management and sediment erosion control permits will be acquired from the District and Maryland agencies. Best management practices, such as the placement of silt fences would be employed throughout construction. Since stormwater management areas will be developed in accordance with regulatory requirements, water quality impacts will be insignificant and mitigation will not be required.

Based on the impact analysis presented in the EA, construction of the proposed trail would require approval from the US Army Corps of Engineers (USACE) and MDE (for those portions in Maryland) for impacts to wetlands and waterways. This approval would be in the form of a permit authorizing the unavoidable impacts from the project. USACE and MDE may require mitigation for these impacts. This mitigation would likely be through restoration of degraded wetlands. None of the alternatives would require more than 1.0 acre of wetland mitigation.

If Lower Beaverdam Creek is determined by the US Coast Guard (USCG) to be "navigable waters," the NPS will submit a Bridge Permit Application to the Coast Guard to obtain approval for the portion of the boardwalk crossing Lower Beaverdam Creek.

Permits required for crossing the CSX railroad right of way would be obtained for DDOT by its contractor. DDOT will also need an agreement with the State of Maryland to be able to contract work on NPS land in Maryland, and an agreement with MNCPPC to match up the ARW trail with the MNCPPC trail that would continue to Bladensburg.

Cumulative Effects

A cumulative effects analysis was conducted to evaluate secondary impacts and cumulative effects on the environment which may result from the project and other past, present, or reasonably foreseeable future actions related to the project. The EA described future activities in the watershed as including project components of the Anacostia Waterfront Initiative (AWI), as well as park improvements such as park roads. The Memorandum of Understanding (MOU) for the AWI is contained in Appendix 1 of the EA, and includes a list of specific goals of the AWI. Apendix 2 of the EA lists additional planning efforts that affect the Anacostia River corridor. Proposed actions include revitalization of the South Capitol Street corridor, reconstruction of the bridges over the river, improvement of interchanges and road safety along the Kenilworth Avenue corridor, redevelopment of Reservation 13 (the old DC Hospital campus) for mixed use development, and construction of offices and mixed use development at the Southeast Federal Center and the Navy Yard.

Projects involving remediation of contaminated sites along the river include Kenilworth Park, where regrading and capping will be needed before recreational fields are reestablished; the Washington Gas site, which has been pumping and treating groundwater and where surface soils will be removed and replaced; and Anacostia Marina, where some soil removal will be needed before the marina can reopen.

Other planned work along the Anacostia River includes rehabilitation of Langston Golf Course, construction of a new baseball stadium in southeast DC. There is also new construction occurring throughout the area for commercial facilities and residences.

Many of these projects would expand impervious surfaces in the river's watershed. Required regulatory reviews of these projects are anticipated to minimize to the maximum extent feasible any water quality impacts to the river. The projects would create greater public use of the Anacostia River area and result in additional automobile traffic with associated noise and vehicle exhausts.

The NPS has considered these various projects and development trends, and based on the low level of direct impacts of this project, and in combination with other park projects, in the overall

context of the highly degraded watershed and future opportunities for mitigation, the potential for cumulative effects is insignificant. The ARW project, which is the subject of this NEPA analysis, might also increase automobile traffic to the general area, but any increase is expected to be minor.

Short term effects of construction traffic, noise, and dust during construction would occur in this and other projects resulting from the AWI, Anacostia Park GMP, and others; but would be minor and temporary. Some disruption of visitor use would be expected during construction, but is not expected to be significant in combination with other projects. Stormwater impacts would also be minor and would not add significantly to those of other projects near the river.

The proposed ARW would cause only minor direct impacts to wetlands, water quality, and floodplains. These are in addition to those impacts of other projects affecting the river and involving environmental enhancements, such as the continuing wetland restoration projects; DC's habitat restoration, construction of a trail and entrance to Lower Kingman Island, and riparian buffer and meadow plantings. The ARW impacts are as follows:

- Wetlands the ARW would impact less than half an acre of wetland. These impacts would be mitigated so no loss of wetland functions and values would occur in the watershed. Wetland impacts would be mitigated during the permitting process and by adhering to existing NPS directives.
- Water quality the selected alternative would increase the amount of impervious area by approximately 14 acres, spread over the length of the trail. However, this increase would be insignificant in a 176 square mile watershed in which the average imperviousness of the entire watershed is 22.5%. Water quality impacts would be offset by a required stormwater management plan.
- Floodplains The proposed trail and associated structures would perform hydraulically in a manner equal to or greater than the existing structures and roadways, and backwater surface elevations are not expected to increase. As a result, there would be no significant adverse impacts on natural and beneficial floodplain values.

The proposed trail would have little potential to induce development outside of the Park. The construction of a trail would not require construction of supporting facilities such as additional parking lots. Most other future activities in the watershed would involve redevelopment of previously developed areas and include environmentally sensitive strategies.

IMPAIRMENT OF PARK RESOURCES OR VALUES

In addition to determining the environmental consequences of the preferred alternative, NPS Management Policies (NPS,2001), Director's Order 12, and Ddirector's Order 55 require analysis of potential impacts to determine if the proposed action would impair park resources.

The fundamental purpose of the National Park System, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values. NPS managers must always seek ways to avoid or minimize to the greatest degree practicable adverse impacts on park resources and values. However, these laws do give NPS managers discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, as long as the impact does not constitute impairment of the affected resources and values. Although Congress has given NPS managers discretion to allow certain impacts within parks, that discretion is limited by the statutory requirement that the

NPS must leave park resources and values unimpaired, unless a particular law directly and specifically provides otherwise. The prohibited impairment is an impact that in the professional judgment of the responsible NPS manager, would harm the integrity of park resources and values, including opportunities that otherwise would be present for the enjoyment of those resources and values. An impact to any park resource or value may constitute impairment. However, an impact would more likely constitute an impairment to the extent it affects a resource or value whose conservation is necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park, key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park or identified as a goal in the park's general management plan or other relevant NPS planning document.

The scenic natural river features that are enjoyed in the Park will be affected temporarily during construction, but the implementation of the Anacostia Riverwalk will provide opportunities for many more visitors to enjoy the Park. The trail would provide additional opportunities for bicycling, walking, and enjoying the Anacostia waterfront and Anacostia Park resources. The visitor experience would be enhanced by the trail providing safe and convenient means for park visitors to enter the Park from the surrounding neighborhoods.

In addition to reviewing the significance of constructing the riverwalk, I, as Superintendent of National Capital Parks-East, have determined that implementation of the preferred alternative will not constitute an impairment of the Park's resources and values. This conclusion is based on a thorough analysis of the impacts described in the EA, the agency and public comments received, and the professional judgment of the decision-maker in accordance with NPS Management Policies, 2001 and Director's Order 55. As described in the EA, implementation of the preferred alternative will not result in major adverse impacts to a resource or value whose conservation is (1) necessary to fulfill specific purposes identified in the establishing legislation of Anacostia Park; (2) key to the nautral or cultural integrity of Anacostia Park; or (3) identified as a goal in the park's general management plan or other relevant Naitonal Park Service planning documents.

Errata

Errors in the EA have been corrected in an errata sheet that is attached. The combination of the EA and the errata sheets forms the complete EA and is the final record on which the decision of the selected alternative and the Finding of No Significant Impact are based.

FINDING OF NO SIGNIFICANT IMPACT

The NPS has considered the information contained in the Environmental Assessment for the Anacostia Riverwalk, Anacostia Park, National Capital Parks-East, Washington, D.C., and other information as summarized or provided in this document, including comments received from the public. This evaluation takes into account applicable law, regulation, and NPS guidance. The NPS selects the preferred alternative, as described in the EA, using the criteria of 40 CFR Section 1508.27. On this basis, the NPS determines that the selected alternative for development of the Anacostia Riverwalk does not constitute a major Federal action significantly affecting the quality of the human environment as defined in the National Environmental Policy Act of 1969. The project is not environmentally highly controversial, nor is it committing the National Park Service to specific future actions that would constitute a significant or controversial impact. The impact of this proposal is not of a cumulative nature either in itself, or in conjunction with other Federal or non-Federal projects. Therefore, pursuant to Section 102(2)(C) of the aforementioned act, the Guidelines of the Council on Environmental Quality, and the National Park Service Guidelines (NPS-12), the preparation of an Environmental Impact Statement is not required.

Date: 7/29/05

Recommend	led:
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Gayle Hazelwood, Superintendent National Capital Parks-East National Park Service

Approved: _

Joseph Lawler, Regional Director

National Capital Region National Park Service

Attachments (3):

Errata sheet

Floodplain Statement of Findings

Cultural Resources concurrence (SHPO)

cc:

Allen Miller, DDOT

Errata

The following errors in the EA need correction:

- 1. On page 4-14, second full paragraph, sentences 3 and 4, change "Alternative 2" to "Alternative 1A", to read:
 - "Except for **Alternative 1A** in Design Section 1, this project would not involve the replacement or modification of any existing drainage structures under any of the alternative alignments. The road relocation in **Alternative 1A** of Design Section 1 would require fill and new drainage structures; however, since this system would essentially replace the existing stormwater management system for this portion of Anacostia Drive, no change in hydraulics is anticipated."
- 2. Figure 3-9, the U.S. Park Police and District Yacht club sites contain fuel storage tanks, but are not considered contaminated sites by the NPS."
- 3. On page 3-28, Table 3.3, the correct location for the Washington Navy Yard is 7th and M Streets, SE.
- 4. On page 3-28, Kenilworth Park section, replace the last two sentences with:
- "In December 1999, EPA determined that the south Kenilworth Park site was potentially eligible for the National Priority List (NPL). However, the site was not listed because the NPS is conducting the appropriate contaminate studies under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The NPS is actively coordinating these efforts with both the EPA and the District."
- 5. On page 3-29, Barney Circle Landfill section, add the following sentences: "The NPS conducted a five year review at the site to determine the effectiveness of the stabilization efforts. The five year review has been completed. No further action is anticipated."
- 6. On page 3-29, Washington Gas section, add the following sentences: "The NPS has completed a Proposed Plan in accordance with CERCLA and held a public meeting regarding the proposed cleanup of the site. The NPS is in the process of developing a Record of Decision (ROD)."
- 7. On page 3-29, add an Anacostia Marina section, to read: "The Anacostia Marina site, located at 1900 M Street, SE was operated as an NPS concession for over 30 years. The site was closed in 2001 due to non-compliance with numerous environmental regulations. The NPS is addressing the contaminant issues through the CERCLA process. Contaminants of concern are PAHs, metals, and PCBs."

None of the above changes has bearing on the decision to implement the preferred alternative.